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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,416	12/12/2003	Wynne J. Whyman	8601/3(a)	2145

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EXAMINER

BELL, CORY C

ART UNIT PAPER NUMBER

2164

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/735,416

Applicant(s)

WHYMAN, WYNNE J.

Examiner

Cory C. Bell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 8/18/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**SAM RIMELL**  
**PRIMARY EXAMINER**

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This office action is responsive to the communication filed on 8/18/2006.
2. Claims 1-24 have been examined in light of the instant amendment.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-24 are rejected under 35 USC 112 first paragraph, as the claims present a single means claim. See MPEP 2164.08(a) for more information.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-24 are rejected under 35 USC 112 second paragraph, as the limitation of query means fails to distinctly claim the subject matter which the applicant regards as his invention.

This is due to the fact that it is unclear whether the query means as recited in the instant amendment is intended to represent. For example, the limitation could encompass a query itself, a query interface, a database management system, or a combination of all three.

5. Claims 12 and 28 are further rejected as they appear to be an improper Markush claim, see MPEP 803.02, and it is unclear if the applicant wishes to limit the claim by one element, or

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the entire group. For the cases of the examination the examiner will assume the applicant intended this to be limited by one element.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6,745,200, known hereafter as Starkey filed on Aug. 12, 2002 and divisional of an application filed on Jul. 17, 1998.

7. *As per independent claim 1, Starkey teaches:*

at least one property description table containing data relating to an outdoor property(Col 1 line 67- col 2 line 1 teaches the data being stored in a relational database, and thus containing tables. Col 7 Lines 32-36 and 43-46, figure 4, Figure 3);

at least one site table containing data relating to a plurality of sites within the property; (Col 7 Line 38-46, figure 4, Figure 3)

at least one entity table containing data relating to entities within sites in the site table and(Figure 5 shows that the zone table encompasses a plurality of entities)

query means for retrieving data from selected tables in the database system.(Col 5 lines 8-10).

8. *As per dependent claim 2, Starkey teaches:*

The database system of claim 1 further comprising an inventory table containing data relating to inventories of items associated with the property. (Col 8 lines

46-57)

9. *As per dependent claim 3, Starkey teaches:*

3. (currently amended) The database system of claim 2 further comprising an inventory maintenance table containing data relating to maintenance of items in the inventory table. (Col 8 lines 46-57, figure 12 “re-stocking”, col 9 lines 1-16)

10. *As per dependent claim 4, Starkey teaches:*

4. (original) The database system of claim 1 further comprising a property survey table containing data relating to surveys of the property. (Table A Physical Property shows various survey elements)

11. *As per dependent claim 5, Starkey teaches:*

5. (original) The database system of claim 1 further comprising a property long-range plan table containing data relating to long-range plans for the property. (Table A

New Construction, planned improvements)

12. *As per dependent claim 6, Starkey teaches:*

6. (original) The database system of claim 1 further comprising a staff table containing data relating to staff members assigned to the property. (Figure 3 Staff)

13. *As per dependent claim 7, Starkey teaches:*

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7. (original) The database system of claim 1 further comprising an inspections table containing data relating to inspections of the property. (Table A condition)
14. *As per dependent claim 8, Starkey teaches:*
8. (original) The database system of claim 1 wherein the sites in the site table comprise geographic areas. (Col 7 lines 32-46)
15. *As per dependent claim 9, Starkey teaches:*
9. (original) The database system of claim 1 wherein the sites in the site table comprise living units. (Table 4 Other)
16. *As per dependent claim 10, Starkey teaches:*
10. (original) The database system of claim 1 wherein the sites in the site table comprise maintenance areas. (Figure 4 zones 5 and 3)
17. *As per dependent claim 11, Starkey teaches:*
11. (original) The database system of claim 1 wherein the sites in the site table comprise program areas. (Figure 4 Zones 6, 7, and 4)
18. *As per dependent claim 12, Starkey teaches:*
12. (original) The database system of claim 1 wherein the entities in the entity table are selected from the group comprising structures (figure 4 zones 6 and 7), fences (Table A Security gates), waterlines, swimming pools (Zone 6), leach fields, electrical poles, parking lots, and latrines (Zone 2).
19. *As per dependent claim 13, Starkey teaches:*
13. (original) The database system of claim 1 further comprising at least one maintenance table containing data relating to maintenance for entities in the entity

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table. (Col 8 lines 46-57, col 9 services modual)

20. *As per dependent claim 14*, Starkey teaches:

14. (original) The database system of claim 1 further comprising an environmental management table containing data relating to environmental management of the property. (Figure 3 environment, Figure 11, Col 8 lines 46-57)

21. *As per independent claim 15*, Starkey teaches:

See rejection of claims 1 and 13.

22. *As per dependent claim 16*, Starkey teaches:

See Claim 1 rejection.

23. *As per dependent claim 17*, Starkey teaches:

See Claim 2 rejection.

24. *As per dependent claim 18*, Starkey teaches:

See Claim 3 rejection.

25. *As per dependent claim 19*, Starkey teaches:

See Claim 4 rejection.

26. *As per dependent claim 20*, Starkey teaches:

See Claim 5 rejection.

27. *As per dependent claim 21*, Starkey teaches:

See Claim 6 rejection.

28. *As per dependent claim 22*, Starkey teaches:

See Claim 7 rejection.

29. *As per dependent claim 23*, Starkey teaches:

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See Claim 12 rejection.

30. *As per dependent claim 24*, Starkey teaches:

See Claim 14 rejection.

### ***Response to Arguments***

Any rejections not repeated in the instant office action have been withdrawn.

Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cory C. Bell whose telephone number is (571) 272 2736. The examiner can normally be reached on m-f 8:30-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272 4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CB

  
**SAM RIMELL**  
**PRIMARY EXAMINER**